



# The OSP Quarterly Connection

VOLUME II, ISSUE III

JULY-SEPTEMBER 2019

## *From The Director's Chair...*

### **Contract Administration – Monitoring Progress**

You have signed your contract. You've met with the vendor to review the details of the contract. Both parties are ready to begin work. How should progress on the contract's deliverables be monitored?

Each contract has an agency employee assigned to the role of contract monitor. This is the person responsible for ensuring the agency is receiving the goods and services in accordance with the contract.

As the contractor works on the deliverables, the contract monitor should be verifying progress on each regularly. This task can be streamlined by establishing meaningful performance indicators during negotiation of the contract.

With a meaningful list of expectations that tell both parties exactly what is required and when it's required, the chances of a misunderstanding or disagreement are significantly reduced. So, what makes performance indicators meaningful? Performance indicators should include:

- ▢ Specific and realistic task expectations
- ▢ Clear and unambiguous language
- ▢ Quantifiable success markers
- ▢ Defined timelines

Depending on the complexity of the goods/services, reporting on these indicators may be required (by the agency) monthly, quarterly, or annually. The more complex the project, the more frequently reporting is needed.

As the vendor reports are received by the contract monitor, they should be reviewed to verify progress and confirm that the vendor is operating in accordance with the contract. If everything is in order, a follow-up with the end user(s) stating such is appropriate. If there are problems identified, there are options for the agency to deal with the issues. These options will be discussed in the next quarterly newsletter.



*Paula Tregre, Director*

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## Emergency Contingency Contracts

Hurricane Season is here once again. The Office of State Procurement has prepared for this time of the year by competitively bidding and awarding contracts for goods and services that are likely to be needed in the event of a hurricane or other types of emergency events. There are currently over 100 contracts available for use in eCat. In an effort to ensure supplies or services will be available during an event, some commodities have multiple contracts available. These Emergency Contingency Contracts are to be used **only** when the Governor declares a state of emergency. These contracts can be found in OSP's electronic catalog, eCat. The easiest way to search for these contracts in eCat is to type "Emergency" in the Contract Description field (shown as Contract Desc.). Agencies are highly encouraged to utilize the lowest priced contract; however, surrounding circumstances, such as availability, delivery time, etc., may not allow you to. Be sure to keep a well-documented file for all emergency purchases, especially if a FEMA reimbursement will be requested. It is recommended that agencies review the Emergency Contingency Contracts that are available ahead of time. To obtain additional information, you may contact the Procurement Analyst listed on the contract. The Office of State Procurement will also be available to provide support during an emergency event. Plan ahead and be prepared, but hopefully, no one will have a need to utilize any of these contracts this year!!



## Hurricane Checklist



- Camera for taking pictures of hurricane damage
- Non perishable food: enough for three (3) days
- Extra batteries
- Extra medications
- A multipurpose tool (like a Swiss Army Knife)
- Family and emergency contact information
- Emergency blanket
- Water: One gallon, per person, per day, for three (3) days
- Baby supplies (bottles, formula, baby food, diapers, etc.)
- Insect repellant and sun screen
- Pet supplies (leashes, collar with ID, food carrier, bowl and food)
- Tools and supplies for securing the home
- Extra set of car and house keys
- Extra clothing, hats, and sturdy shoes
- Copies of personal documents (medication list, pertinent medical information, proof of address, deed/lease to home, passports, birth certificates and insurance policies)
- Flashlight(s)
- Battery powered radio
- A first aid kit
- Cell phone and chargers
- Personal hygiene products
- Extra cash
- Map of the area

For more hurricane preparedness information, please visit the National Hurricane Center:  
<https://www.national-hurricane-center.org>





## 2019 Regular Session

### *New Legislation*




**T**his year's Regular Legislative Session, which adjourned on Thursday, June 6, 2019, was relatively light for procurement compared to recent years. Only three bills were enacted that relate to purchasing or contracting under the State Procurement Code – Title 39.

 **Act 101**, by Representative Brass, was technical in nature, simply correcting the statutory definition of “private procurement unit” to reflect the administrative transfer of early learning centers from DCFS to LDOE. This Act should not affect Executive Branch agencies.

 **Act 155**, by Representative Hodges, permanently codifies Governor Edwards' Executive Order JBE 2018-15 into law. The E.O. and Act both prohibit Executive Branch agencies from contracting with companies who are engaged in boycotts, divestments, or sanctions (BDS) against the nation of Israel. Agencies are authorized and directed to reject bids from and cancel contracts with, companies who are engaged in BDS activities against Israel. There is an exception for contracts with a value of less than \$100,000 and for vendors with fewer than five employees. All Executive Branch agencies should update their bid and contract templates to reflect these requirements. Existing boilerplate language which references E.O. JBE 2018-15 should be updated to reference R.S. 39:1602.1 instead. OSP has updated the LaGov boilerplate and other contract/solicitation templates with the updated provision(s).



 **Act 312**, by Representative Connick, updates various provisions related to the State Use Program. The State Use Program, more commonly known by the name of its nonprofit coordinator, EDS, provides meaningful work opportunities for people with disabilities while serving the needs of state agencies and political subdivisions by providing goods and services, which can be procured directly - without having to go through the bid process. Act 312 brings the Program into alignment with Federal law, regulations, and court orders, and updates some outdated terminology. Notably, the Act requires supported employment providers (previously known as “sheltered workshops”) to offer “gainful, competitive, integrated employment, training and rehabilitation services” to their employees. The Act newly requires that goods and services offered through the program be “equal in quality [to private sector offerings] and reasonable in the rate charged”. The Act also expands the categories of individuals with disabilities who are eligible to participate, including but not limited to people with developmental, behavioral, intellectual or sensory disabilities. Lastly, the Act requires the State Use Council to issue an RFP every five years to select the Program's nonprofit coordinator to assist with central administration, training, and support services for the supported employment providers and those they serve.



If you have any questions, please contact Jonathan Walker via email:  
[Jonathan.Walker@LA.gov](mailto:Jonathan.Walker@LA.gov)



## Special Methods of Procurement: Small Purchase Executive Orders, JBE17-18

- ☒ This Executive Order (EO) governs purchases under \$25,000 and other applicable procurements, which are exempt from the competitive sealed bids. Guidelines for items that are over \$5,000 and under \$25,000 and **MUST** be competitively bid can be found in Section 4A-B.
  - \$ Purchases exceeding \$5,000.00 but less than \$15,000.00 require 3 quotations from bona fide, qualified vendors. Whenever possible, at least one (1) of the vendors shall be a SEBD (Small and Emerging Business Development).
  - \$ Purchases exceeding \$15,000.00 but less than \$25,000.00 require 5 quotations from bona fide, qualified vendors. Whenever possible, at least two (2) of the vendors shall be a SEBD (Small and Emerging Business Development).
- ☒ Agencies should contact OSP via phone or email for permission to obtain quotes prior to bidding any item over your DPA, if it is not specifically covered by an exemption listed in Section 5B. If approved, OSP will issue an approval number. The agency will then obtain quotes (make sure they are “apples to apples”), and submit documentation with your shopping cart, referencing your approval number.
- ☒ Section 5A of the EO lists specific items that do not have to be competitively bid. Please note, some categories have had dollar limit caps added. If your purchase exceeds the cap, you must either obtain quotes, or process it as a sole source.
- ☒ A few of the commonly used 5A exemptions are listed below:
  - \$ Purchasing transactions between governmental entities.
  - \$ Publications or copyrighted materials purchased directly from the publisher/copyright holder.
  - \$ Educational training, including instructor fees and related resources, including membership in and accreditations by professional societies & organizations.
  - \$ Advertising to reach targeted audiences.
    - ☑ **Note:** There are **31** total exemptions listed in EO 5A
- ☒ To quickly find SEBD vendors for any commodity, search the LaPac website: <https://wwwcfprd.doa.louisiana.gov/OSP/LaPAC/pubMain.cfm>.
  - ☒ Click on Vendor Registration Menu
  - ☒ Search for Registered Vendors (LaGov).
- ☒ You can also visit LED’s website for small businesses at <https://smallbiz.louisianaeconomicdevelopment.com/Account/Login> to find SEBD vendors as well.



## OSP Staff Updates

The Office of State Procurement is pleased to announce that **Laporchia Wells** is the State Procurement Analyst handling the following contracts and commodities:

- ◇ MMCAP Medical Products
- ◇ Pharmaceutical Services
- ◇ First Aid
- ◇ Mobility
- ◇ Speech Impaired & Restraint Items
- ◇ Hearing Aid Equipment
- ◇ Surgical Laboratory Supplies
- ◇ Infectious Waste Disposal
- ◇ Condoms
- ◇ Drug Testing Services & Kits
- ◇ Referral Lab Testing.



Should you need assistance with contracts or commodities that fall within these areas, Laporchia can be reached by calling: (225) 342-8036; or via email: [Laporchia.Wells@la.gov](mailto:Laporchia.Wells@la.gov).



# Happy New Fiscal Year: 2019-2020

## From the Office of State Procurement/Professional Contracts Team

**W**e just kicked off a brand new fiscal year and have a goal to ensure all contracts and amendments are processed with minimum issues during fiscal year 2019/2020. In an effort to continuously improve our process and to better serve our agency customers, we have created a list of tips that will aid in the approval of your contracts and amendments:

- \* Previous contract Purchase Order numbers will need to be included in all documents. This can be done by adding a note in PROACT or in the notes section of LaGov.
- \* LDR numbers will need to be included in your contracts.
  - For out-of-state vendors only:**
    - \* While the contract is processing within the agency, an email will need to be submitted to LDR to obtain out of state clearance.
    - \* This step will need to be completed prior to your OSP-PC submittal. More information can be obtained within Act 211: <http://www.doa.la.gov/Pages/osp/PC/agencies/New-Information.aspx>.
- \* If you are an agency that does not use LaGov or OSP, you must manually enter the contract into the system and your vendor ID must be listed with your submittal.
- \* Please utilize the most recent templates and forms in your submittal to OSP-PC: <http://www.doa.la.gov/pages/osp/PC/Formsformats.aspx>.
  - \* Remember that templates are a starting point for contracts and language provided should not be removed.
  - \* Additional language can be added within the contract to cover your needs.
- \* For the Business Certificate of Authority and the Disclosure of Ownership, the Secretary of State print out can be used.
  - \* To search for a business document, use the following link: <https://coraweb.sos.la.gov/CommercialSearch/CommercialSearch.aspx>.



The OSP Professional Contract Team is available to answer questions that may arise to ensure that the 2019/2020 fiscal year is successful. Feel free to call or email your OSP Professional Contract Analyst for further assistance. Questions and/or concerns may also be addressed by accessing our website: [Procurement.la.gov](http://Procurement.la.gov).

## LED/OSP Honor Small Business Champions

Louisiana Department of Economic Development and the Office of State Procurement have been working closely for the past few years to enhance the Hudson and Veteran Initiatives to increase utilization of the program.



Each year, two state agencies are recognized as strong advocates for enhancing participation and inclusion of Hudson and Veteran certified companies, which leads to job creation and economic growth in Louisiana. The two state agencies named the 2019 Hudson and Veteran Champions are **The Department of Culture, Recreation & Tourism (DCRT) and The Office of Technology Services (OTS)**. DCRT and OTS both surpassed their program goals for Fiscal Year 2019. The two agencies together spent over \$17M with Hudson and Veteran certified companies. During the 2019 Small Business Awards, DCRT and OTS were recognized and they were each presented with The Hudson and Veteran Champions Award. Chief Information Officer Richard "Dickie" Howze and Deputy CIO Neal Underwood accepted the award on behalf of OTS. Undersecretary Nancy Watkins and Sondra Sloper accepted DCRT's award.

Congratulations!

# Best And Final Offer (BAFO)

## *What is a Best and Final Offer (BAFO)?*

**B**AFO represents an optional step in the Request for Proposals (RFP) process which allows agencies the opportunity to clarify the scope of work and/or obtain the most cost effective pricing available from proposers. The BAFO process occurs after the initial evaluation of the proposals are completed and prior to submittal of the award recommendation. It is not part of the contract negotiation. It can be utilized to allow proposers determined to be reasonably susceptible of being selected for award to amend their cost proposal based on clarifications or additional information provided by the agency, or to further refine their response to the scope of work.



BAFO is useful when:

- It appears proposers may have misunderstood the scope of work or services when developing proposals



- The agency is unable to make an apples-to-apples comparison between cost proposals due to differing assumptions made by proposers or for some other reason

- The cost submitted by all proposers is too high

- The scores of two or more proposers are very close after the evaluation process

### ***How is BAFO initiated?***

BAFO can only be utilized if the original RFP document contains language that indicates that the process *may* be used. Prior to notice of BAFO and all related activities, strict timelines should be developed and confidentiality shall be maintained. The proposers selected to participate, usually those determined to be reasonably susceptible of being selected for award are sent written notification of their selection, a list of specific items to address in the BAFO, instructions for submittal, and the evaluation criteria and associated weights, if different from the initial scoring criteria and weights. Selected proposers must also be informed that the written invitation to participate in BAFO does not obligate the State to a commitment to enter into a contract.

**BEST AND FINAL  
OFFER.**

### ***How is BAFO evaluated?***

If a BAFO includes cost, BAFO responses replace the original cost proposals. If the BAFO includes refinement of the technical response, the evaluation committee may re-evaluate the refined sections. The responses are evaluated using either the evaluation criteria and weights in the RFP or the evaluation criteria and weights stated in the BAFO.



For more information or questions regarding the BAFO process, please contact the OSP help desk at (225) 342-8010 or [doa-pchelpdesk@la.gov](mailto:doa-pchelpdesk@la.gov) for PC RFPs, or [DOA-OSPHelpdesk@la.gov](mailto:DOA-OSPHelpdesk@la.gov) for complex services (purchasing) RFPs.

# IN THE SPOTLIGHT

## MRO (Maintenance, Repair and Operations) Purchasing:

**M**RO purchases are necessary to keep businesses running. These contracts can be useful when supplies or equipment are needed in an expedited manner. The State of Louisiana has three (3) MRO Statewide contracts to meet the needs of the agencies, which are also LaPS contracts (Louisiana Pricing Schedules).

**Grainger: Contract #4400015436**, effective 9/13/2018 to 6/30/2023.

- 🔊 1.7 million products
- 🔊 Free technical support
- 🔊 Industry-specific services
- 🔊 Over 5200 suppliers
- 🔊 11 Distribution Centers and 200 Branches
- 🔊 Same day shipping on 99% of in-stock items



**MSC Industrial Supply Co.: Contract #4400015437**, effective 9/13/2018 to 6/30/2023.

- 🔊 Strives to provide quality products and outstanding customer service on every order.



- 🔊 1.5 million product offerings
- 🔊 75 years of experience in MRO solutions
- 🔊 Next day delivery with a 7:00 pm (central time) cut-off time
- 🔊 Live inventory status on [mscdirect.com](https://mscdirect.com)

**Fastenal: Contract #4400015438**, effective 9/13/2018 to 6/30/2023.

- 🔊 Provides local service and quick delivery of MRO products
- 🔊 Known for safety supplies, fasteners and supply chain solutions



Note: All three (3) contracts can be utilized during declared emergencies as well as for regular purchases throughout the year.



Beginning with contracts renewals for each vendor, OSP now has a **\$10,000.00** maximum threshold limit for a single priced item, which is up from the previous \$5,000.00 threshold limit. **Procurements shall not be artificially divided to circumvent the \$10,000.00 threshold.**



## What's in Your Shopping Cart?

**T**here are several statewide contracts that are new, have been rebid or are otherwise notable. Please consider accessing these contracts if your agency has a need for any of the following:



### **Vehicles:**

#### **Golf Carts & Utility Vehicles:**



- ◆ Contract #4400017191: Courtesy Golf Cars: Yamaha – Effective 05/29/2019 - 05/28/2020
- ◆ Contract #4400017192: GN Gonzales – Effective 05/29/2019 - 05/28/2020
- ◆ Contract #4400017193: John Deere – Effective 05/29/2019 - 05/28/2020
- ◆ Contract #4400017194: Textron: EZGO, Cushman – Effective 05/29/2019 - 05/28/2020

### **Lab Equipment and Supplies:**

- ◆ Contract #4400006389: Fisher Scientific Co., LLC — Effective 4/09/2016 – 3/31/2021
- ◆ Contract #4400006390: VWR International Inc. - Effective 4/09/2016 – 3/31/2021

### **Beat The Summer Heat:**

- ◆ Air Conditioning Filters: Contract #4400017296: Universal Filters — Effective 6/16/2019 – 6/15/2020



### **Rising Water:**

#### **Water Barriers/Dams:**



- ◆ Contract #4400014366: MosCamp / AquaDams - Effective 5/01/2019 - 4/30/2020
- ◆ Contract #4400014367: US Flood Control – Effective 5/01/2019 - 4/30/2020

**Louisiana Electronic Catalog (LA eCat):** [https://wwwcfprd.doa.louisiana.gov/OSP/LaPAC/eCat/dsp\\_eCatSearchLagov.cfm](https://wwwcfprd.doa.louisiana.gov/OSP/LaPAC/eCat/dsp_eCatSearchLagov.cfm)



**Did you know that eCat has the ability to search for state contracts by: contract number, contract description, vendor name or line item description? The eCat link is: [https://wwwcfprd.doa.louisiana.gov/OSP/LaPAC/eCat/dsp\\_eCatSearchLagov.cfm](https://wwwcfprd.doa.louisiana.gov/OSP/LaPAC/eCat/dsp_eCatSearchLagov.cfm).**

**Did you know that The Advocate newspaper requires that advertisements be received at least 3 days prior to publication?** Therefore, a 10-day short bid is actually a minimum of 13 days because all sealed bids have to be advertised.





## State of Louisiana

### Office of State Procurement

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*Join us in bidding farewell to our  
retiring team members!*

Deborah Rock — 40 years of service

Gina Purpera — 33 years of service



## LaNIGP

The Louisiana Chapter of National Institute of Governmental Purchasing (LANIGP) is a non-profit organization that provides guidance, support, encouragement and resources to public procurement professionals for the state of Louisiana. When you join the chapter, you connect with procurement professionals from state, local, parish, federal, school, hospital, universities and public utility agencies around Louisiana.

### Why join NIGP?

- ☒ Discounts on educational seminars and conferences
- ☒ Scholarship opportunities
- ☒ Quarterly networking meetings
- ☒ Seminars and workshops to enhance your skills in procurement
- ☒ Help earning nationally recognized certifications. For members seeking national credentials, LANIGP offers a comprehensive review prior to testing
- ☒ Annual Educational Conference and Produces Expositions is LANIGP's premier event in professional development and networking



Membership is open to public procurement and materials management professionals in Louisiana who are actively employed in the industry.

The 2019 Educational Conference and Products Exposition is being held November 13-15, at the Golden Nugget in Lake Charles, LA. See website: <https://lanigp.org>

**Early bird registration ends July 31, 2019.** Register early to save your agency money!

Early Registration is \$175 (by July 31<sup>st</sup>) for Members and \$230 Non-Members

Regular Registration (after August 1<sup>st</sup>) is \$225 for Members and \$300 Non-Members

On-Site Registration: Members \$350 and \$425 Non-Members

Single Day Attendance: Members \$125 and \$175 Non-Members

